

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GRANT STEAD, individually,

Plaintiff,

v.

COLLINS FINANCIAL SERVICES,
INC. a Texas corporation and
PALISADES ACQUISITION V.,
LLC, PARAGON WAY, INC., f/k/a
TXCOLLECT, INC., cba CTI OF
AUSTIN TEXAS, a Texas
corporation,

Defendants.

NO. CV-07-0093-EFS

**ORDER GRANTING PLAINTIFF'S
MOTION TO RECONSIDER AND
REMANDING MATTER TO STATE
COURT**

Before the Court is the Plaintiff's Motion for Reconsideration On Objection to Removal from State Court (Ct. Rec. 6). After Defendants filed a Notice of Removal (Ct. Rec. 1), Plaintiff filed an Amended Complaint (Ct. Rec. 5), which removed his federal Fair Debt Collection Practices Act cause of action. Accordingly, the Amended Complaint only contains causes of action arising under state law. In response to Plaintiff's motion, Defendants submit the Court is to look at the complaint in effect when the case was removed and therefore maintain the Court has subject matter jurisdiction over this case; Defendants ask the Court to maintain supplemental jurisdiction over the state law causes of

1 action contained in the Amended Complaint. The Court agrees it has
2 jurisdiction over the initial Complaint; however, after considering
3 judicial economy, fairness, convenience, and comity, the Court declines
4 to exercise supplemental jurisdiction over Plaintiff's remaining claims
5 under 28 U.S.C. § 1367. See *Nishimoto v. Federman-Bachrach & Assocs.*,
6 903 F.2d 709, 715 (1990).

7 **IT IS HEREBY ORDERED:** Plaintiff's Motion for Reconsideration On
8 Objection to Removal from State Court (**Ct. Rec. 6**) is **GRANTED**. This
9 matter is **REMANDED**.

10 **IT IS SO ORDERED.** The District Court Executive is directed to:

- 11 1. Enter this Order;
- 12 2. Provide copies to all counsel;
- 13 3. Provide a certified copy to the **Clerk of the Superior Court of**
14 **the State of Washington, in and for the County of Spokane**, Civil Case
15 Number: 07200271-0;
- 16 4. **REMAND THIS CASE** to the Superior Court of the State of
17 Washington, in and for the County of Spokane; and
- 18 5. **Close the file.**

19 **DATED** this 17th day of April, 2007.

20
21 S/ Edward F. Shea

22 EDWARD F. SHEA
23 United States District Judge

24 Q:\Civil\2007\0093.remand.wpd
25
26